

IN RE: PETITION FOR RESIDENTIAL * BEFORE THE
ZONING VARIANCE *
E/S Victory Avenue, 145 ft. N * ZONING COMMISSIONER
of c/l Putty Hill Avenue *
8805 Victory Avenue * OF BALTIMORE COUNTY
14th Election District *
6th Councilmanic District * Case No. 97-42-A
Arnold P. Elliott, Jr., et ux *
Petitioners *

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Arnold P. Elliott, Jr. and Laura A. Elliott, his wife, for that property known as 8805 Victory Avenue in the Ridge Grove subdivision of Baltimore County. The Petitioners/property owners herein seek a variance from Section 400.3 of the Baltimore County Zoning Regulations (BCZR) to allow a detached accessory structure (garage) in the rear yard, with a height of 20 ft., in lieu of the required 15 ft., in a D.R.5.5 zone. The property and relief sought are more particularly described on Petitioners' Exh. No. 1, the plat to accompany the Petition.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should, therefore, be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of

5/30/96
H. Mark
MICROFILMED

Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

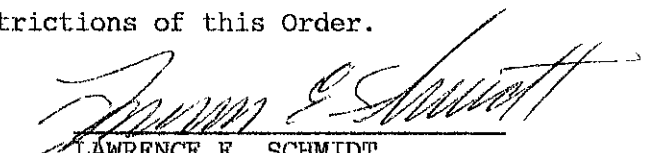
THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 30th day of August 1996, that the Petition for a Residential Variance from Section 400.3 of the Baltimore County Zoning Regulations (BCZR) to allow a detached accessory structure (garage) in the rear yard, with a height of 20 ft., in lieu of the required 15 ft., in a D.R.5.5 zone, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3. The Petitioners shall not allow the garage to be used for any commercial purposes or to support any business operation.

4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.


LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

MICROFILMED

LES:mmm

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

August 29, 1996

Mr. and Mrs. Arnold P. Elliott, Jr.
8805 Victory Avenue
Baltimore, Maryland 21234

RE: Petition for Administrative Variance
Case No. 97-42-A
Property: 8805 Victory Avenue

Dear Mr. and Mrs. Elliott:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Lawrence E. Schmidt".

Lawrence E. Schmidt
Zoning Commissioner

LES:mmn
encl.

MICROFILMED





Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 8805 Victory Avenue, Baltimore, MD
which is presently zoned D.P.S.S Residential

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 4400.3 To Allow A DE INCH

Accessary Structure in the Rear Yard To Be 20' In Height in Lieu
OF THE REQUIRED 15 FT.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. Want a 17' - 20' high garage for storing personal items/vehicles.
2. Have very little closet space in home.
3. Have no basement or full size attic.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Arnold Preston Elliott, Jr.

(Type or Print Name)

Arnold P. Elliott Jr. (W) 687-5648

Signature

Laura A. Elliott

(Type or Print Name)

Laura A. Elliott (W) 448-6895

Signature

8805 Victory Avenue 668-8318

Address

Phone No

Baltimore, MD

City

State

21234

Zipcode

Name, Address and phone number of representative to be contacted

Name

Address

Phone No.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City

State

Zipcode

Attorney for Petitioner.

(Type or Print Name)

Signature

Address

Phone No.

City

State

Zipcode

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this ____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be reposted.

Zoning Commissioner of Baltimore County

REVIEWED BY: SM

DATE: 7-29-96

ESTIMATED POSTING DATE: 8-11-96

Printed with Soybean Ink
on Recycled Paper

MICROFILMED

ITEM #: 43

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 8805 Victory Avenue
address
Baltimore, Maryland 21234
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

A large garage (17' - 20') is needed to use for storage space
as well as storing vehicles. The extra height will allow
us to have shelving space for personal items. Our home does
not have a basement or a full size attic. The attic is only
a crawl space and there are only two small closets within our
home.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Arnold P. Elliott, Jr.
(signature)

Arnold P. Elliott, Jr.
(type or print name)



Laura A. Elliott
(signature)

Laura A. Elliott
(type or print name)

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 24TH day of July, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

ARNOLD P. ELLIOTT JR. AND LAURA A. ELLIOTT

the Affiants(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal.

July 24, 1996
date

Kurt S. Wood
NOTARY PUBLIC

My Commission Expires:

KURT S. WOOD
MY COMMISSION EXPIRES
OCTOBER 2, 1999

ZONING DESCRIPTION FOR: 8805 Victory Avenue
Baltimore, Maryland 21234

97-42-A

Beginning at a point on the east side of Victory Avenue which is 110' wide at the distance of 145' north of the centerline of the nearest improved intersecting street Putty Hill Avenue which is 30' wide. *Being Lot #394, 395, 396 & 397 in subdivision Ridge Grove as recorded in Baltimore County Plat #03, Book #07, Folio #039, containing .38 acres. Also known as 8805 Victory Avenue and located in the 14th Election District, 6 Councilmanic District.

MICROFILMED

#43

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland
97-42-H

District 148

Date of Posting 8/2/96

Posted for: Variano

Petitioner: Arnold R. Elliott Jr.

Location of property: 8805 Victory Ave.

Location of Signer: Feeling no duty on property being zoned

Remarks: _____

Posted by: Matthew
Signature

Date of return: 8/16/96

Number of Signs: 1

MICROFILMED





Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR

For newspaper advertising:

Item No.: 43 Petitioner: Arnold P. Elliott, Jr. & Laura Elliott
Location: 8805 Victory Ave, Ba Ho., MD 21234

PLEASE FORWARD ADVERTISING BILL TO:

NAME: _____
ADDRESS: Arnold & Laura Elliott
8805 Victory Avenue
Baltimore, Maryland 21234

PHONE NUMBER: 668-8318

MICROFILMED

"43



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204

[Signature]
DIRECTOR

[Signature]
BUILDINGS ENGINEER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 9, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 97-42-A (Item 43)
9805 Victory Avenue
E/S Victory Avenue, 145' N of c/l Putty Hill Avenue
14th Election District - 6th Councilmanic
Legal Owner(s): Arnold Preston Elliott, Jr.

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before August 11, 1996. The closing date (August 26, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon
Director

cc: Arnold and Laura Elliott

MICROFILM





BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT

TOWSON, MARYLAND 21204

[Signature]
DIRECTOR

[Signature]
BUILDINGS ENGINEER



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 21, 1996

Mr. and Mrs. Arnold Preston Elliott, Jr.
8805 Victory Avenue
Baltimore, MD 21234

RE: Item No.: 43
Case No.: 97-42-A
Petitioner: Arnold Elliott, et ux

Dear Mr. and Mrs. Elliott:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on July 29, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in black ink that reads "W. Carl Richards, Jr.".

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

MICROFILMED



Baltimore County Government
Department of Community Development



One Investment Place Suite 800
Towson, MD 21204

887-3317
Fax 887-5696

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 08/14/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF AUG. 12, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS 43, 45, 46, 47, 49, 50, 51, 52,
53 AND 54.

157

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



Printed with Soybean Ink
on Recycled Paper

MICROFILM 10

Roz

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM

DATE: Aug. 13, 1991

FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

SUBJECT: Zoning Advisory Committee

Meeting Date: Aug 12, 91

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

43

52

44

53

45

54

47

48

49

50

51

RBS:sp

BRUCE2/DEPRM/TXTSBP

11 5 1991

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BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM

DATE: August 8, 1996

FROM: Arnold F. "Pat" Keller, III, Director, OP

SUBJECT: 8805 Victory Avenue

INFORMATION:

Item Number: 43

Petitioner: Elliott Property

Property Size:

Zoning: DR 5.5

Requested Action: Administrative Variance

Hearing Date: / /

SUMMARY OF RECOMMENDATIONS:

Should the applicant's request be granted, the accessory structure should not be converted to living space. In addition, no bathroom or kitchen facilities should be permitted.

Prepared by:

Jeffrey W. Long

Division Chief:

Dan L. Kerns

PK/JL

11/10/96


To Zoning

BALTIMORE COUNTY, MARYLAND

INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: August 16, 1996

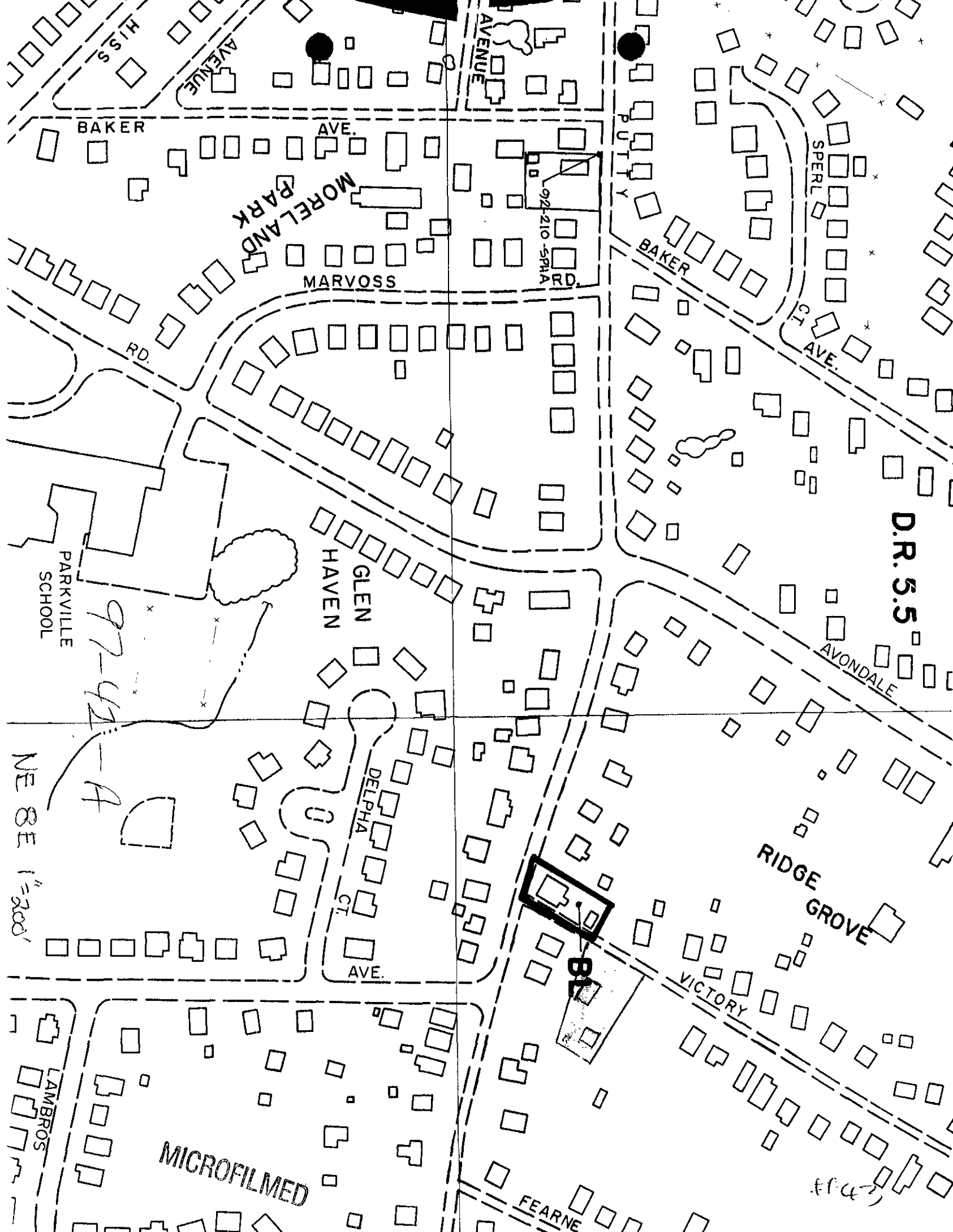
FROM:  Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
for August 19, 1996
Item Nos. 043, 045, 046, 047, 050,
051, and 053

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File



D.R. 5.5

SPEAR

AVE.

AVONDALE

RIDGE GROVE

VICTORY

FEARNE

AVENUE

MARVOSS

GLEN HAVEN

DELPHA

CT. AVE.

MORELAND PARK

BAKER

BAKER

PARKVILLE SCHOOL

MICROFILMED

LAMBROS

NE 8E 1"=300'

97-42-A

92-210-581A

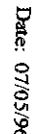
Property Address: 8805 Victory Avenue

Subdivision Name: Ridge Grove

Plat 3 Book 07 Folio 039

Owners: Arnold Preston Elliott, Jr. and Laura A. Elliott

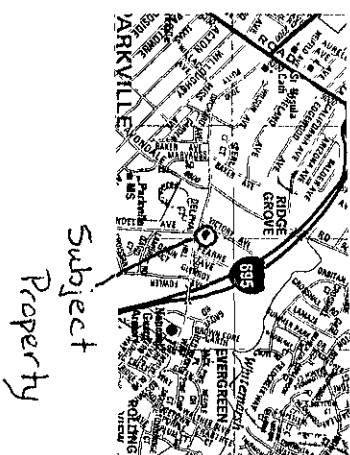
97-42-A



Prepared By: A. Elliott

Scale of Drawing 1" = 50'

中



Subject
Property



Vicinity Map

Scale: 1' = 1000'

LOCATION INFORMATION

Election District: 14

Councilmanic District: 6

1' = 200' scale map #: NE 8E

Zoning: D.R. 5.5

Lot size: .38 16,552.8

acreage square feet

Public Private

SEWER ☒ ☐

WATER ☒ ☐

Yes No

Chesapeake Bay Critical Area:

Prior Zoning Hearings: None

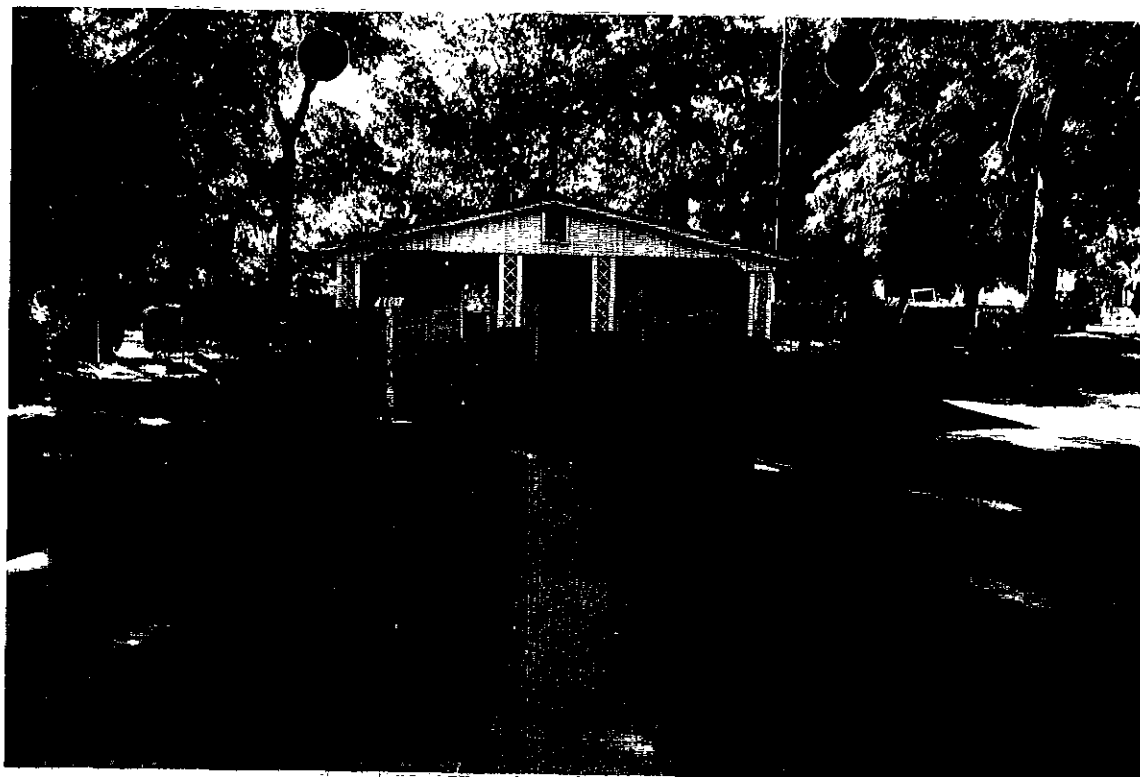
ZONING OFFICE USE ONLY!

Reviewed By

em No.

Case No.

MICROFILMED



Front of the house taken from the street.

97-42-A



Picture of house taken from the beginning of the driveway.

-H 43

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Arnold & Laura Elliott
8805 Victory Avenue
Baltimore, Maryland 21234



Right side of house taken from the
backyard.

97-42-A



Right side of home. Looking from the front
of the house.

-H 43

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Arnold & Laura Elliott
8805 Victory Avenue
Baltimore, Maryland 21234

Left side of the house taken from the
backyard.



97-42-A

Back of house.



1143

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Arnold & Laura Elliott
8805 Victory Avenue
Baltimore, Maryland 21234

View of Mildred Shaffer's house from our front yard.



Side and back view of Mildred Shaffer's home from our backyard.

97-42-A

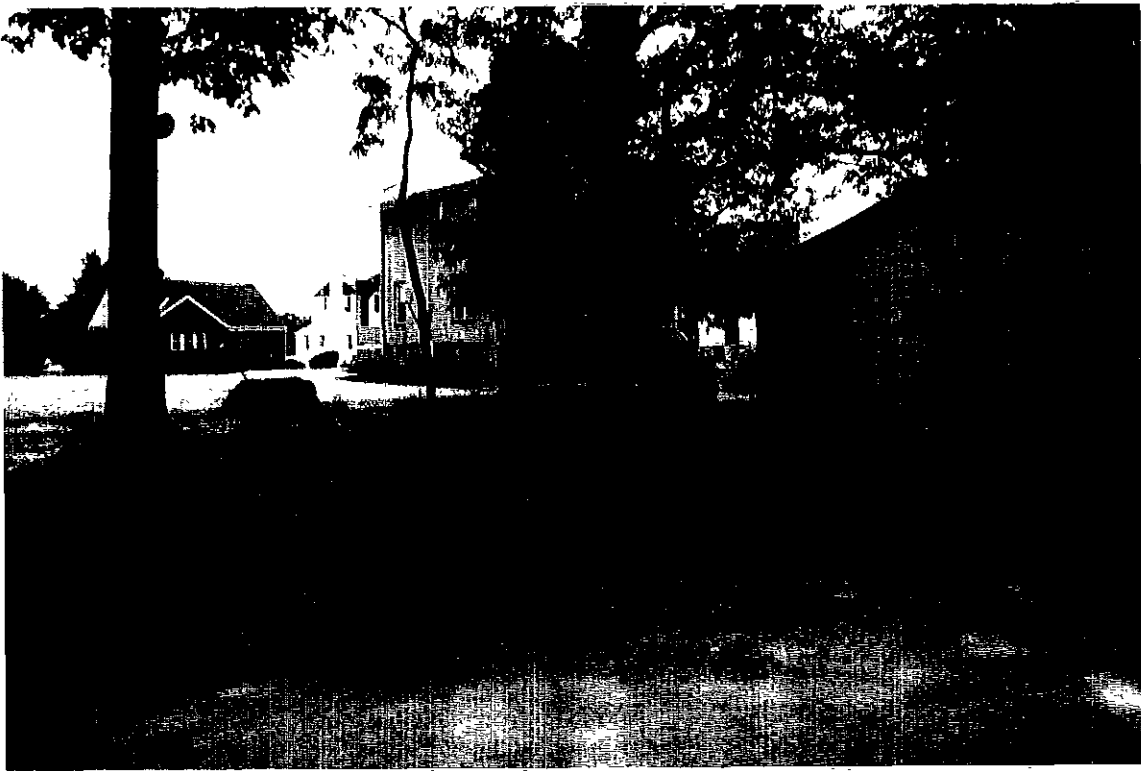


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MILDRED MED

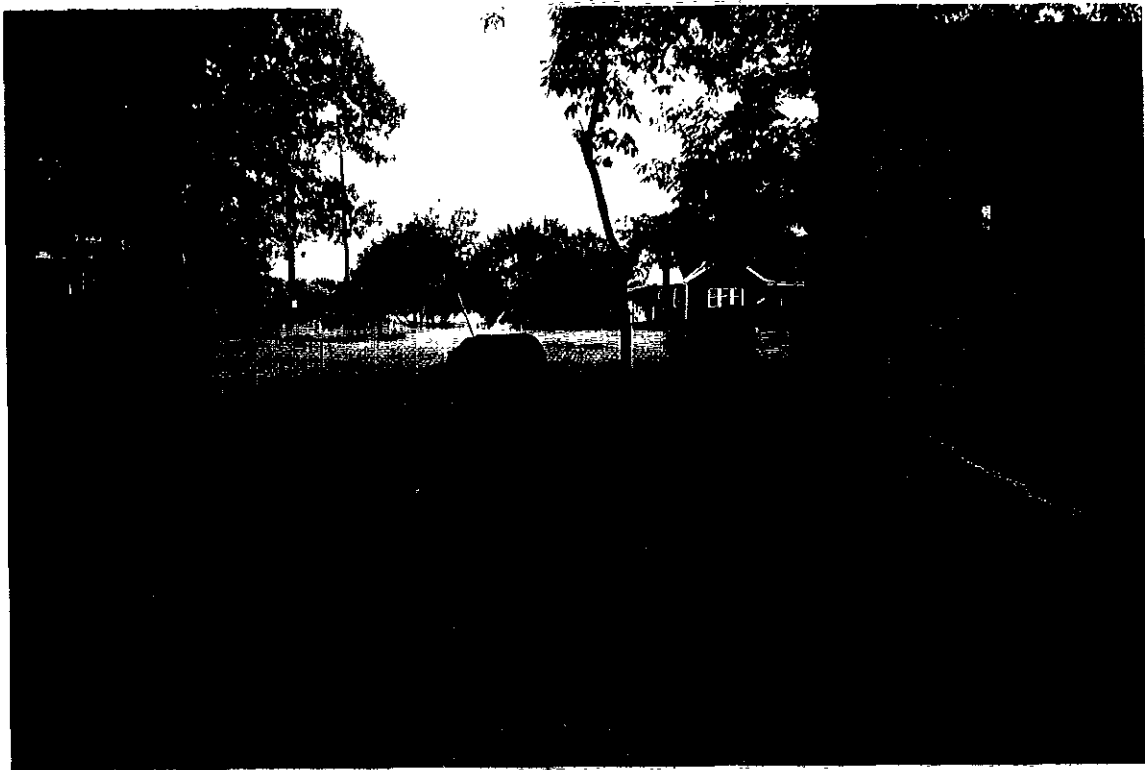
Arnold & Laura Elliott
8805 Victory Avenue
Baltimore, Maryland 21234

Back of house and view of Mild
Shaffer's yard.



View of Edward & Carolyn Chenoweth's
home from our backyard.

97-42-A



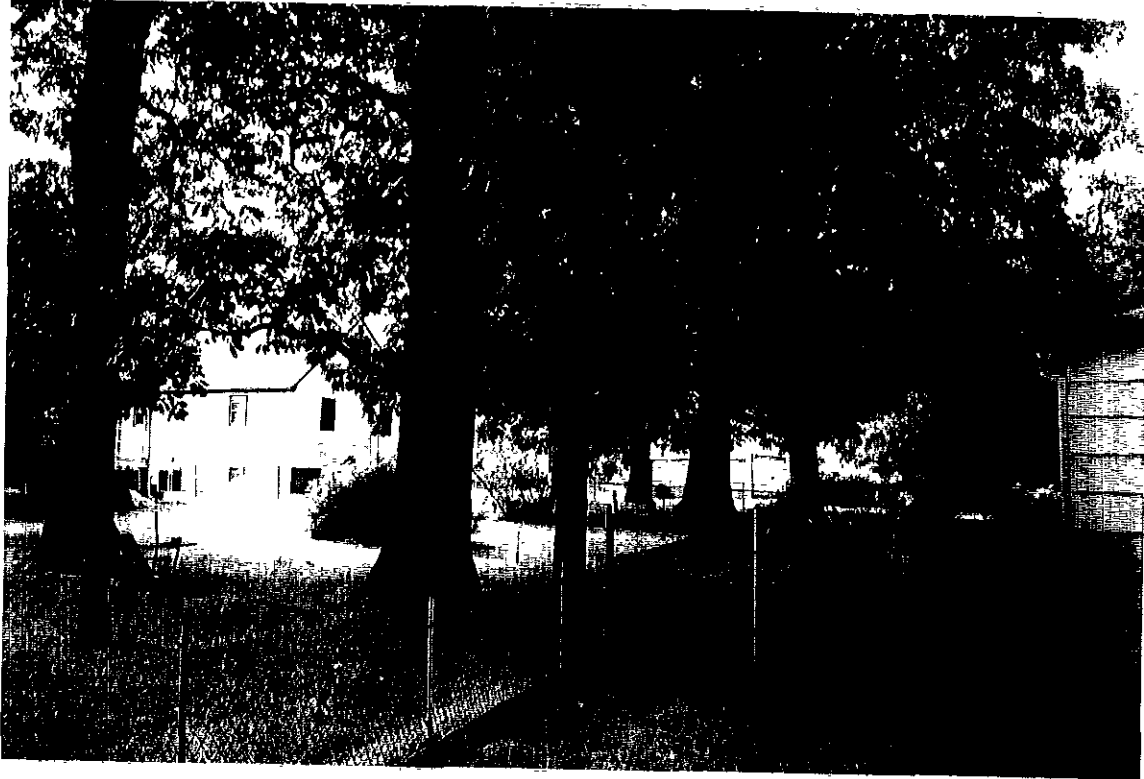
1-4-2,

MICROFILMED

Arnold & Laura Elliott
8805 Victory Avenue
Baltimore, Maryland 21234

View of Mildred Shaffer's and Edward and
Carolyn Chenoweth's homes from our
backyard.

97-42-A



43

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Arnold & Laura Elliott
8805 Victory Avenue
Baltimore, Maryland 21234

View of James & Victoria Stout's home
from our backyard.



97-42-A

View of Stout's home taken from the right
side of our backyard.



#1 43

MICROFILM

Arnold & Laura Elliott
8805 Victory Avenue
Baltimore, Maryland 21234

View of where planned garage is to be built
from driveway.



Partial view of where garage is to be built
and view of Picka's backyard.

97-42-A



H 43

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Arnold & Laura Elliott
8805 Victory Avenue
Baltimore, Maryland 21234

Anthony & Maria Picka's right side of
home taken from taken from our front yard.



97-42-A



FF 42

MICROFILMED

Arnold & Laura Elliott
8805 Victory Avenue
Baltimore, Maryland 21234

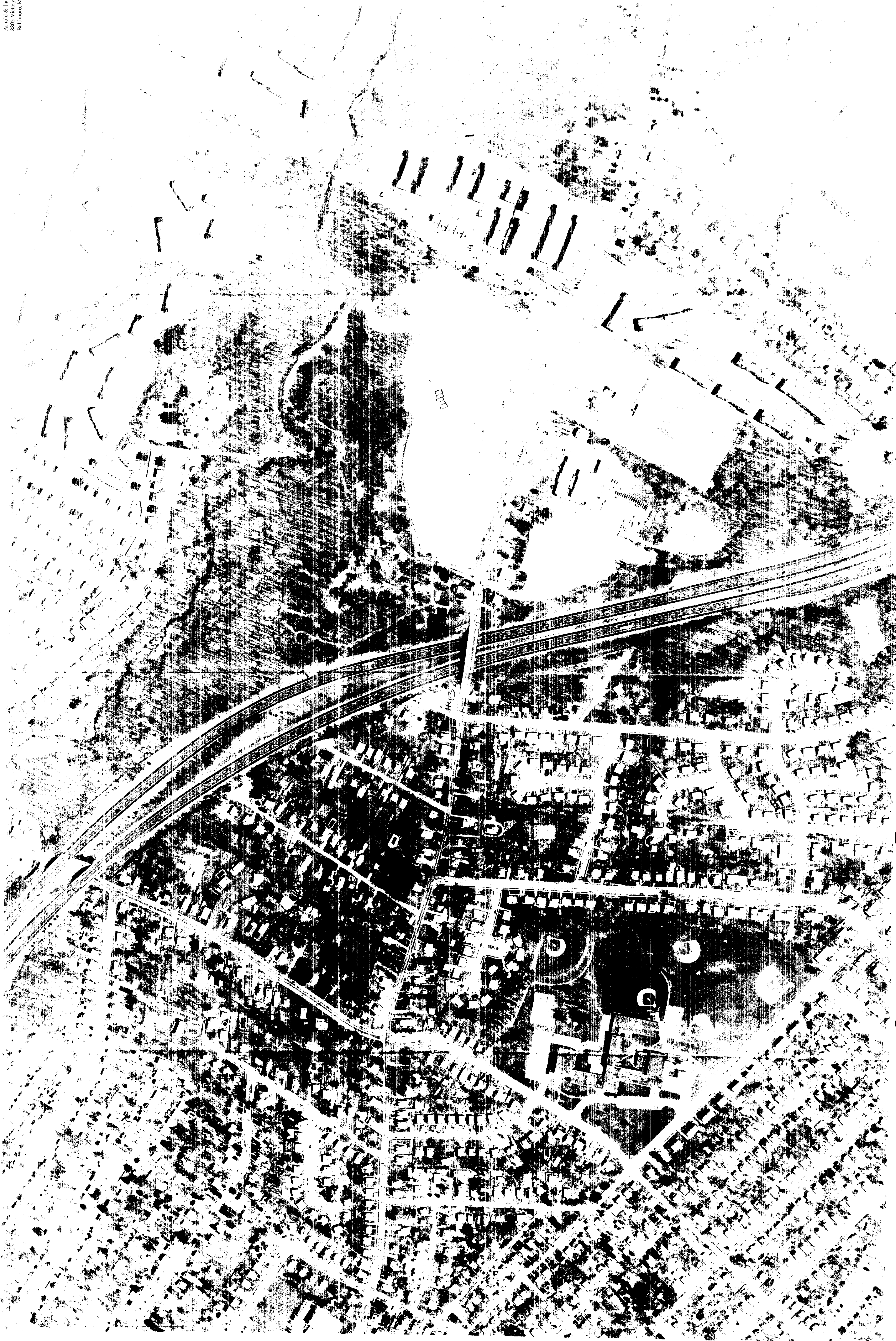
97-42-A



43

MICROFILMED

Arnold & Laura Elliott
8805 Victory Avenue
Baltimore, Maryland 21234



97-42-A BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE 1" = 200' ±
LOCATION
ELEVATION
DATE OF PHOTOGRAPHY
JANUARY 1988
SHEET
NE
SE
MICROFILMED

IN RE: PETITION FOR RESIDENTIAL
ZONING VARIANCE
475 Victory Avenue, 145 ft. N
of c/l Putty Hill Avenue
8805 Victory Avenue
14th Election District
6th Councilmanic District
Arnold P. Elliott, Jr., et ux
Petitioners

* BEFORE THE
* ZONING COMMISSIONER
* OF BALTIMORE COUNTY
* Case No. 97-42-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

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The property and relief sought are more particularly described on Petitioners' Exh. No. 1, the plat to accompany the Petition.

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Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the BCZR would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 30th day of August 1996, that the Petition for a Residential Variance from Section 400.3 of the Baltimore County Zoning Regulations (BCZR) to allow a detached accessory structure (garage) in the rear yard, with a height of 20 ft., in lieu of the required 15 ft., in a D.R.S.5 zone, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

3. The Petitioners shall not allow the garage to be used for any commercial purposes or to support any business operation.

4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT
Zoning Commissioner
for Baltimore County

LES:mmm

-2-

Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning

Suite 112 Courthouse
400 Washington Avenue
Towson, MD 21204

(410) 887-4386

August 29, 1996

Mr. and Mrs. Arnold P. Elliott, Jr.
8805 Victory Avenue
Baltimore, Maryland 21234

RE: Petition for Administrative Variance
Case No. 97-42-A
Property: 8805 Victory Avenue

Dear Mr. and Mrs. Elliott:

Enclosed please find the decision rendered in the above captioned case. The Petition for an Administrative Variance has been granted, with restriction, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

Laura A. Elliott
Zoning Commissioner

LES:mmm
encl.

Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 8805 Victory Avenue, Baltimore, MD
which is presently zoned D.R.S.5
Residential

97-42-A
This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property above and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.3 of the Baltimore County Zoning Regulations to allow a detached accessory structure in the rear yard to be 20 ft. in height in lieu of the required 15 ft.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (Indicate hardship or practical difficulty)
1. Want a 17' - 20' high garage for storing personal items/vehicles.
2. Have very little closet space in home.
3. Have no basement or full size attic.

Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contact Petitioner/Letter:

(Type or Print Name)

Signature

Address

City State Zip

Attorney for Petitioner

(Type or Print Name)

Signature

Address

City State Zip

A Public Hearing having been requested and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____, 19____, that the subject matter of this petition be set for a public hearing, advertised, as required by the Zoning Regulations of Baltimore County, in two newspapers of general circulation throughout Baltimore County, and that the property be posted.

REVIEWED BY: 503 DATE: 7/29/96
ESTIMATED POSTING DATE: 8-11-96

Printed with Soybean Ink
on Recycled Paper
ITEM #: 43

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at
8805 Victory Avenue
Baltimore, Maryland 21234
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address: (Indicate hardship or practical difficulty)

A large garage (17' - 20') is needed to use for storage space as well as storing vehicles. The extra height will allow us to have shelving space for personal items. Our home does not have a basement or a full size attic. The attic is only a crawl space and there are only two small closets within our home.

That Affiant(s) acknowledge(s) that if a protest is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Signature of Affiant(s): Arnold P. Elliott, Jr. and Laura A. Elliott
Type or print name

STATE OF MARYLAND, COUNTY OF BALTIMORE, to-wit:

I HEREBY CERTIFY, this 29th day of July, 1996, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared
Arnold P. Elliott, Jr. and Laura A. Elliott

the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her knowledge and belief.

AS WITNESS my hand and Notarial Seal.

Signature of Notary: Kurt S. Wood
Date: July 29, 1996

My Commission Expires
KURT S. WOOD
MY COMMISSION EXPIRES
OCTOBER 2, 1999

ZONING DESCRIPTION FOR: 8805 Victory Avenue
Baltimore, Maryland 21234

Beginning at a point on the east side of Victory Avenue which is 110' wide at the distance of 145' north of the centerline of the nearest improved intersecting street Putty Hill Avenue which is 30' wide. *Being Lot #394, 395, 396 & 397 in subdivision Ridge Grove as recorded in Baltimore County Plat #03, Book #07, Folio #039, containing .38 acres.

Also known as 8805 Victory Avenue and located in the 14th Election District, 6th Councilmanic District.

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 14th Date of Posting: 8/14/96

Posted for: Katherine

Petitioner: Arnold P. Elliott, Jr.

Location of property: 8805 Victory Ave

Location of Sign: Sign on property being posted

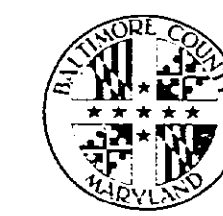
Remarks:

Posted by: Notary Date of return: 8/16/96

Number of Signs: 1

Printed with Soybean Ink
on Recycled Paper

12



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 9, 1996

NOTICE OF CASE NUMBER ASSIGNMENT

Re: CASE NUMBER: 97-42-A (Item 43)
8805 Victory Avenue
475 Victory Avenue, 145' N of c/l Putty Hill Avenue
14th Election District - 6th Councilmanic
Legal Owner(s): Arnold Preston Elliott, Jr.

Please be advised that your petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3353. This notice also serves as a refrainer regarding the administrative process.

1) Your property will be posted on or before August 11, 1996, the closing date (August 26, 1996) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.

2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reported and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reporting and newspaper advertising are payable by the petitioner(s).

3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

PLEASE UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ORDERS ARE NOT AVAILABLE FOR DISTRIBUTION VII. PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

cc: Arnold and Laura Elliott

Printed with Soybean Ink
on Recycled Paper



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 21, 1996

Mr. and Mrs. Arnold Preston Elliott, Jr.
8805 Victory Avenue
Baltimore, MD 21234

RE: Item No.: 43
Case No.: 97-42-A
Petitioner: Arnold Elliott, et ux

Dear Mr. and Mrs. Elliott:

The Zoning Advisory Committee (ZAC), which consists of representa-
tives from Baltimore County approval agencies, has reviewed the plans
submitted with the above referenced petition, which was accepted for
processing by Permits and Development Management (PDM), Zoning Review, on
July 29, 1996.

Any comments submitted thus far from the members of ZAC that offer or
request information on your petition are attached. These comments are not
intended to indicate the appropriateness of the zoning action requested,
but to assure that all parties (zoning commissioner, attorney, petitioner,
etc.) are made aware of plans or problems with regard to the proposed
improvements that may have a bearing on this case. Only those comments
that are informative will be forwarded to you; those that are not
informative will be placed in the permanent case file.

If you need further information or have any questions regarding these
comments, please do not hesitate to contact the commenting agency or
Roslyn Eubanks in the zoning office (887-3391).

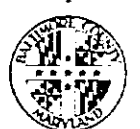
Sincerely,

W. Carl Richards, Jr.

W. Carl Richards, Jr.
Zoning Supervisor

WCR/re
Attachment(s)

Baltimore County Government
Fire Department



700 East Joppa Road
Towson, MD 21286-5500

Office of the Fire Marshal
(410) 887-4880

DATE: 08/14/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW
Location: DISTRIBUTION MEETING OF AUG. 12, 1996.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed
by this Bureau and the comments below are applicable and required to
be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time.
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 43, 45, 46, 47, 49, 50, 51, 52,
53 AND 54.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office. PHONE 887-4881. MS-1102F

cc: File

BALTIMORE COUNTY, MARYLAND
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT
INTER-OFFICE CORRESPONDENCE

TO: PDM
FROM: R. Bruce Seeley
Permits and Development Review
DEPRM

DATE: Aug 13, 1996

SUBJECT: Zoning Advisory Committee
Meeting Date: Aug 12, 96

The Department of Environmental Protection & Resource Management has no
comments for the following Zoning Advisory Committee Items:

Item #'s: 43 52
44 53
45 54
47
48
49
50
51

RBS:sp

BRUCE2/DEPRM/TXTSBP

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director, PDM
FROM: Arnold F. "Pat" Keller, III, Director, OP
SUBJECT: 8805 Victory Avenue

DATE: August 8, 1996

INFORMATION:

Item Number: 43

Petitioner: Elliott Property

Property Size:

Zoning: DR 5.5

Requested Action: Administrative Variance

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

Should the applicant's request be granted, the accessory structure should not be
converted to living space. In addition, no bathroom or kitchen facilities
should be permitted.

Prepared by: Jeffrey M. Long

Division Chief: Gary L. Kline

PK/JL

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Department of Permits & Development
Management

Date: August 16, 1996

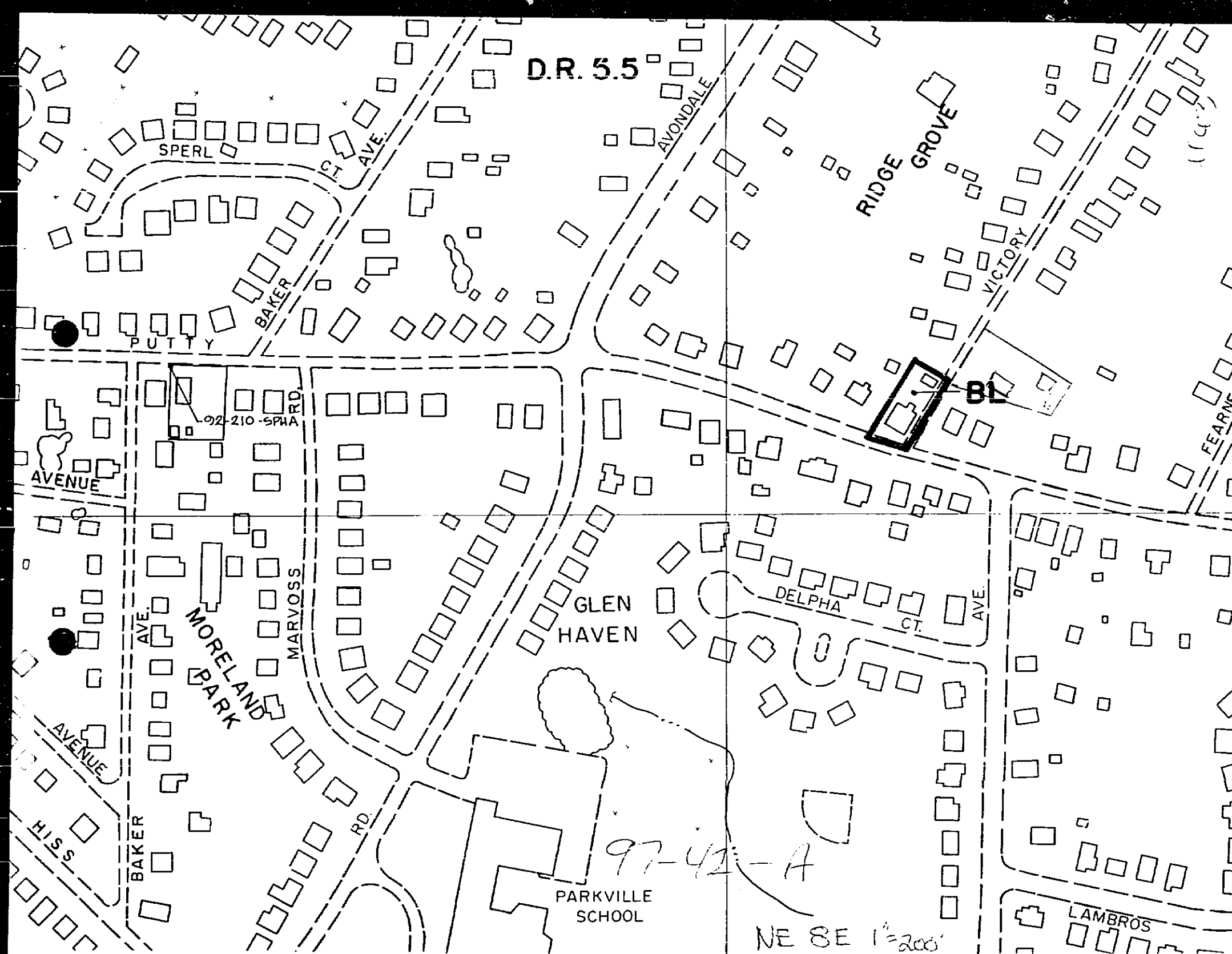
FROM: Robert W. Bowling, Chief
Development Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting
For August 13, 1996
Item Nos. 043, 045, 046, 047, 050,
051, and 052

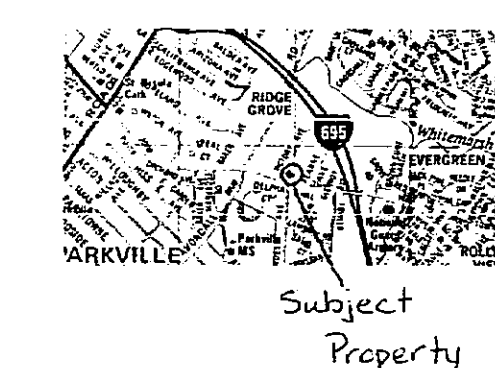
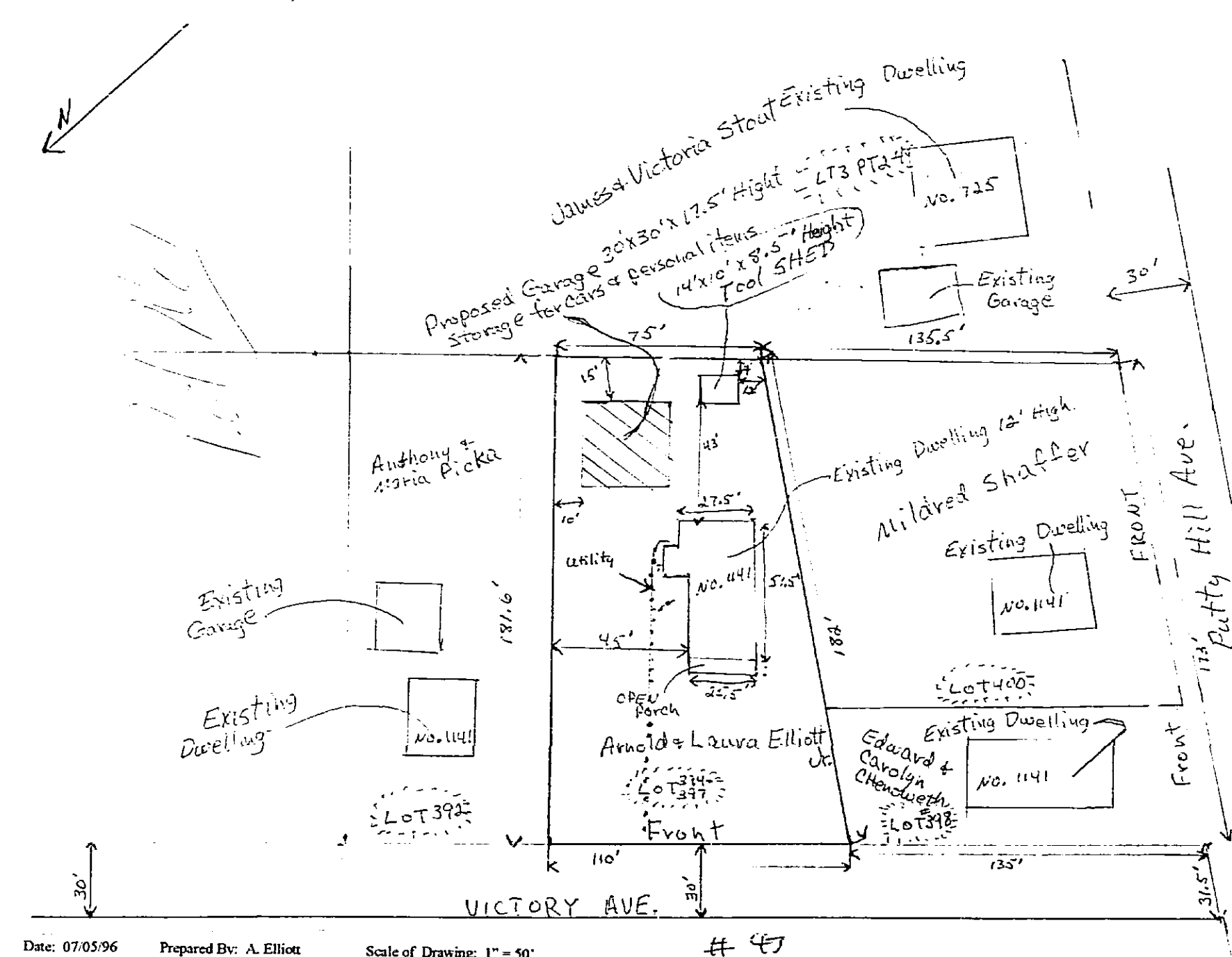
The Development Plans Review Division has reviewed the subject
zoning item, and we have no comments.

RWB:HJO:jrb

cc: File



Plat to Accompany Petition for Zoning Variance or Special Hearing
Property Address: 8805 Victory Avenue
Subdivision Name: Ridge Grove
Plat 3 Book 07 Folio 039
Owners: Arnold Preston Elliott, Jr. and Laura A. Elliott



Vicinity Map
Scale: 1" = 1000'

LOCATION INFORMATION

Election District: 14

Councilmanic District: 6

1" = 200' scale map #: NE 8E

Zoning: D.R. 5.5

Lot size: 38 16,552.8
acreage square feet

Public Private

SEWER ☒ ☐

WATER ☒ ☐

Chesapeake Bay Critical Area: Yes No

Prior Zoning Hearings: None

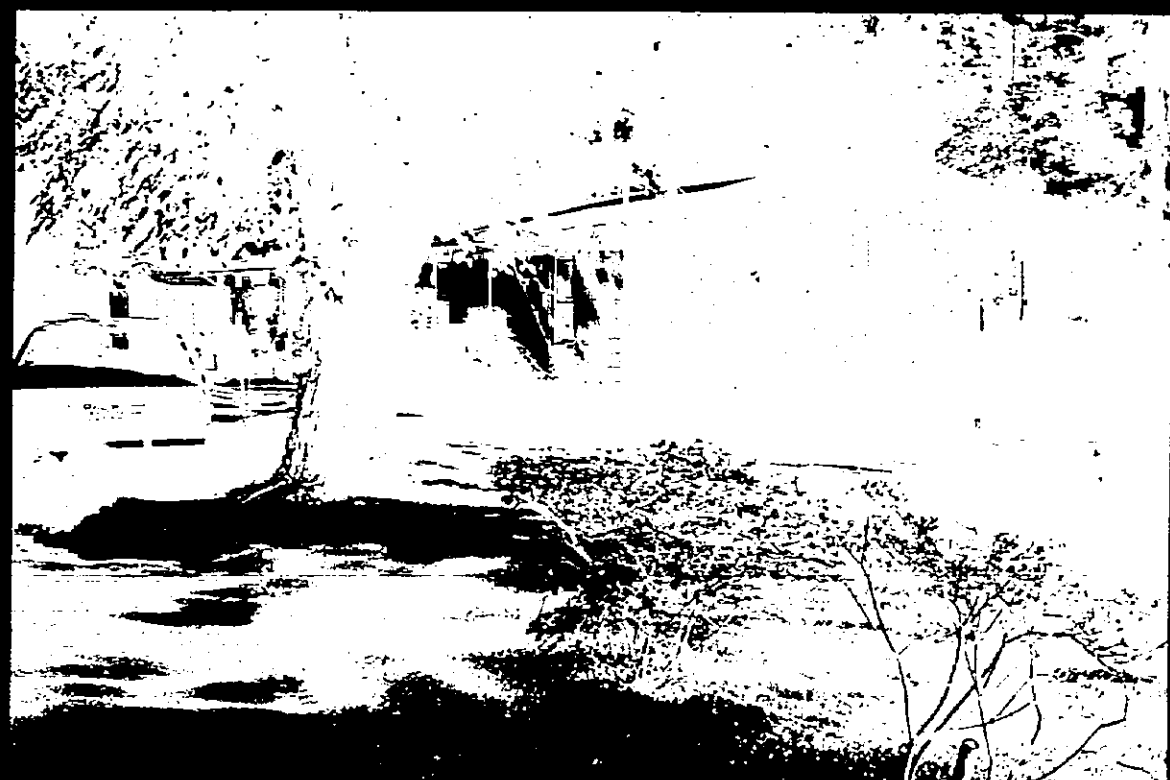
ZONING OFFICE USE ONLY:

Reviewed By: Item No. Case No.



Front of the house taken from the street.

97-42-A



Picture of house taken from the beginning of the driveway.

11 43

Arnold & Laura Elliott
8805 Victory Avenue
Baltimore, Maryland 21234



Right side of house taken from the backyard.

97-42-A



Right side of home. Looking from the front of the house.

11 43

Arnold & Laura Elliott
8805 Victory Avenue
Baltimore, Maryland 21234

Left side of the house taken from the backyard.



97-42-A

Back of house.



11 43

Arnold & Laura Elliott
8805 Victory Avenue
Baltimore, Maryland 21234

View of Mildred Shaffer's house from our front yard.



Side and back view of Mildred Shaffer's home from our backyard.

97-42-A



11 43

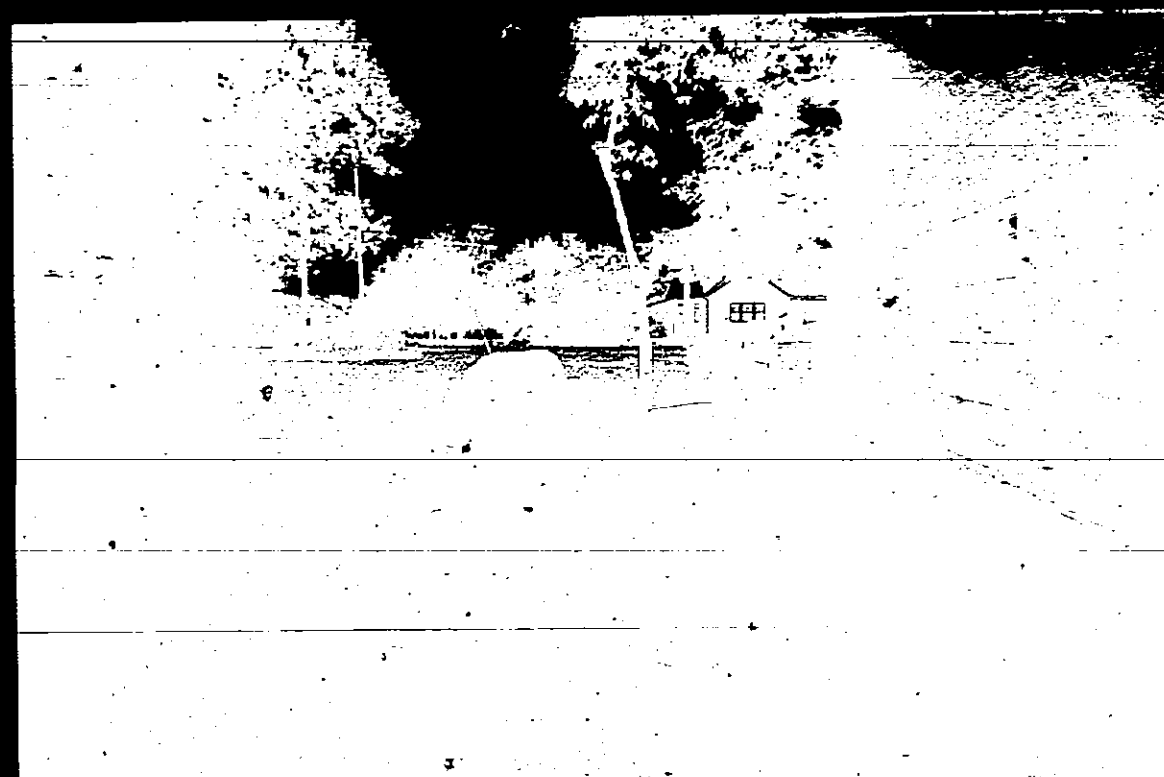
Arnold & Laura Elliott
8805 Victory Avenue
Baltimore, Maryland 21234

Back of house and view of Mildred Shaffer's yard.



View of Edward & Carolyn Chenoweth's home from our backyard.

97-42-A



11 43

Arnold & Laura Elliott
8805 Victory Avenue
Baltimore, Maryland 21234

View of Mildred Shaffer's home and Carolyn Chenoweth's homes from our backyard.

97-42-A



11 43

Arnold & Laura Elliott
8805 Victory Avenue
Baltimore, Maryland 21234

View of James & Victoria Stout's home from our backyard.



View of Stout's home taken from the right side of our backyard.

97-42-A



11 43

Arnold & Laura Elliott
8805 Victory Avenue
Baltimore, Maryland 21234

View of where planned garage is to be built from driveway.



Partial view of where garage is to be built and view of Picka's backyard.



Arnold & Laura Elliott
8805 Victory Avenue
Baltimore, Maryland 21234

Anthony & Maria Picka's right side home taken from taken from our backyard.



Arnold & Laura Elliott
8805 Victory Avenue
Baltimore, Maryland 21234



Arnold & Laura Elliott
8805 Victory Avenue
Baltimore, Maryland 21234

Arnold & Laura Elliott
8805 Victory Avenue
Baltimore, Maryland 21234



97-42-A BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

SCALE	LOCATION	SHEET
1" = 200' ±	FULLERTON	N.E.
DATE OF PHOTOGRAPHY JANUARY 1966	PARKVILLE	8-E